

October 23, 2009

**Burnet R. Maybank, III**  
Member  
Admitted in SC

**VIA ELECTRONIC FILING**

Charles L.A. Terreni  
Chief Clerk and Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

**Re: Docket Number 2009-326-C – State Universal Service Support of Basic  
Local Service Included in a Bundled Service Offering or Contract  
Offering**

Charleston

Charlotte

**Columbia**

Greensboro

Greenville

Hilton Head

Myrtle Beach

Raleigh

Dear Mr. Terreni:

Enclosed please find the Response of Windstream South Carolina, LLC to Commission's October 15 Directive. By copy of this letter and Certificate of Service, a copy is being served on all parties of record.

Very truly yours,



Burnet R. Maybank, III

caa  
Enclosures

cc: All Parties of Record

**BEFORE THE  
PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA**

**Docket Number 2009-326-C**

**State Universal Service Support of Basic Local Service Included In a Bundled  
Service Offering or Contract Offering**

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**CERTIFICATE OF SERVICE**

I, Cathy A. Allen, an employee of Nexsen Pruet, LLC, hereby certify that on this 23rd day of October, 2009, served a copy of the attached Response of Windstream South Carolina, LLC to Commission's October 15 Directive in the above-referenced matter to the persons below by causing said copy to be sent by U.S. Mail as shown below:

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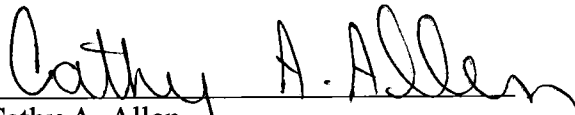
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Cathy A. Allen

STATE OF SOUTH CAROLINA

(Caption of Case)

State Universal Service Support of Basic Local  
Service Included In a Bundled Service Offering or  
Contract Offering

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET  
NUMBER: 2009 - 326 - C

(Please type or print)

Submitted by: Burnet R. Maybank III

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda  
expeditiously

☒ Other: Response to Commission's October 15 Directive

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input checked="" type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

Reset Form

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2009-326-C**

**IN RE:**

**State Universal Service Support of Basic  
Local Service Included in a Bundled Service  
Contract Offering**

**Windstream's Response to Commission's  
October 15 Directive**

Burnet R. Maybank III, Attorney for Windstream South Carolina, LLC (Windstream) submits the following in response to the Public Service Commission's (PSC) October 15, 2009 Directive.

Windstream objects to the ORS being compelled to answer the CLEC's Discovery requests and produce Windstream's South Carolina Annual Service Fund ILEC Data Reports (ILEC Data Report) and USF Per Line Support Calculation, on the grounds that the discovery requests are overly broad and the information contained in such documents are irrelevant to the issues in this proceeding. Windstream has already agreed, in its Responses to Discovery Requests submitted by the CLECs, to disclose to the CLECs (pursuant to a nondisclosure agreement and protective order) the specific number of bundled offering access lines that are a part of the numbers reported in the ILEC Data Report. However, the CLEC's discovery request to the ORS, which is the subject matter of this discovery dispute, seeks the production of the

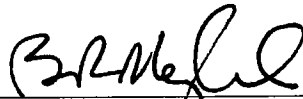
ILEC Data Report itself, which contains additional confidential information that has no bearing on the question of Universal Service Funding of bundled telephone products.

Specifically, the following information in Windstream's ILEC Data Reports is confidential and contains information irrelevant to the CLEC's inquiry:

- Line 1: Number of Residence USF access lines served by Designated Support Service Area rate group.
- Line 2: Number of Single Line Business USF access lines by Designated Support Service Area rate group.
- Line 7: Number of lines receiving Federal Lifeline assistance.

While Windstream has agreed to disclose the number of bundled offerings included in the totals provided on lines 1 and 2, the actual total number is irrelevant and is unlikely to lead to relevant information concerning bundled offerings. Furthermore, Windstream has filed ILEC data reports for each of its wire centers and such information, itemized as to each exchange, is confidential and competitively sensitive and irrelevant to the issue of bundled offerings. As to the Per Line Support Calculation, which is also the subject of the CLECs' discovery request, it contains the Cost Per Line which is confidential and irrelevant.

There is simply no compelling reason for the disclosure of data not connected to the narrow issue presented on this docket, even with the protection of a Protective Order. The carriers should not have to bear the risk of having highly confidential, competitively sensitive information falling into the wrong hands when the disclosure of such information is not necessary to the advancement of the relevant issues in dispute. Windstream has no objection to relevant confidential information being disclosed under protective order, but objects to the disclosure of anything outside the factual scope of this docket.



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October 23, 2009  
Columbia, South Carolina